

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 9, 2008

LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality
Attention: Docket Clerk, MC 105
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 APR -9 PM 2:28
CHIEF CLERKS OFFICE

Re: Enforcement Action
Bruce's, Inc.
TCEQ Docket No. 2007-0119-WQ-E;
SOAH Docket No. 582-08-0036;
RN105224695
The Executive Director's Statement Supporting the Administrative Law Judge's Proposed Order

Dear Ms. Castañuela:

On behalf of the Executive Director, please find enclosed the original and twelve (12) copies of "The Executive Director's Statement Supporting the Administrative Law Judge's Proposed Order." Additionally, please find a twelfth copy for Barham A. Richard, MC 175, which I would like to have date-stamped and returned to me.

Please contact me at (512) 239-0107 with any questions you may have. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Barham A. Richard", written over a horizontal line.

Barham A. Richard
Attorney
Litigation Division

cc: Mr. Ben Bruce, Bruce's, Inc., P.O. Box 148, Evadale, Texas 77615 - Via First Class Mail and Certified Mail, CM RRR 7004 2510 0003 9123 4832
Honorable Shannon Kilgore, State Office of Administrative Hearings
Merrilee Hupp, Enforcement Division, TCEQ, MC 169
Ronald Hebert, Water Section Manager, TCEQ, MC R-10
Blas J. Coy, Jr., Attorney, Office of Public Interest Counsel, TCEQ, MC 103
TCEQ Office of General Counsel (original and 11 copies of enclosure)

2008 APR -9 PM 2:35

CHIEF CLERKS OFFICE

SOAH DOCKET NO. 582-08-0036
TCEQ DOCKET NO. 2007-0119-WQ-E

IN THE MATTER OF
AN ENFORCEMENT ACTION
AGAINST BRUCE'S, INC.;
RN102541794

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

**EXECUTIVE DIRECTOR'S STATEMENT SUPPORTING THE ADMINISTRATIVE
LAW JUDGE'S PROPOSED ORDER**

NOW COMES the Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ") and hereby files this Statement Supporting the Administrative Law Judge's Proposal for Decision, pursuant to 30 TEX. ADMIN. CODE § 80.257.

The Executive Director agrees with and supports the adoption of all of the Administrative Law Judge's ("ALJ") Findings of Fact and Conclusions of Law.

Respectfully submitted,

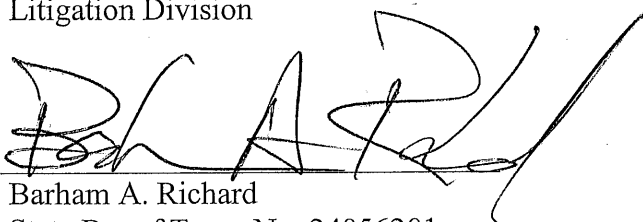
Texas Commission on Environmental Quality

Glenn Shankle
Executive Director

Stephanie Bergeron Perdue, Deputy Director
Office of Legal Services

Jeffrey Huhn, Acting Director
Litigation Division

by



Barham A. Richard
State Bar of Texas No. 24056201
Litigation Division, MC 175
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-0107
(512) 239-3434 (FAX)

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2008, the original and 12 copies of the foregoing "Executive Director's Proposed Modifications to the Administrative Law Judge's Proposed Order" ("Proposed Modifications") were filed with the Chief Clerk, Texas Commission on Environmental Quality, Austin, Texas.

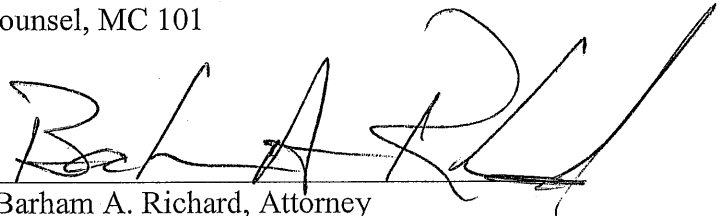
I further certify that on this day a true and correct copy of the foregoing Proposed Modifications were sent to the following:

Via Inter-Agency Mail
Via Facsimile to (512) 475-4994
The Honorable Shannon Kilgore
State Office of Administrative Hearings
300 W. 15th Street, Suite 504
Austin, Texas 78701-1649

Via First Class Mail, Postage Prepaid
Via Certified Mail, Return Receipt Requested 7004 2510 0003 9123 4832
Mr. Ben Bruce
Bruce's, Inc.
P.O. Box 148
Evadale, Texas 77615

Via Intra Agency Mail
Blas Coy, TCEQ Public Interest Counsel, MC 103
Les Trobman, TCEQ Office of the General Counsel, MC 101

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Barham A. Richard, Attorney
Office of Legal Services, Litigation Division
Texas Commission on Environmental Quality